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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/654,926	09/05/2003	Hiroshi Mori	031062	5473
38834 7590 03/04/2010 WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP 1250 CONNECTICUT AVENUE, NW SUITE 700 WASHINGTON, DC 20036				
EXAMINER				
BENOIT, ESTHER				
ART UNIT		PAPER NUMBER		
2442				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentmail@whda.com

Office Action Summary

Application No.

10/654,926

Applicant(s)

MORI ET AL.

Examiner

ESTHER BENOIT

Art Unit

2442

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 December 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SG-08)
- Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____
- 5) ☐ Notice of Interval Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. This Action is in response to an Amendment filed on December 2, 2009. Claim 1 has been amended. Claims 1 and 3-10 are pending in this application.

Response to Arguments

2. Applicant's arguments, see Remarks, filed 12/2/2009, with respect to the rejection(s) of claim(s) 1 under 35 U.S.C. 103(a) have been fully considered. Some arguments are persuasive and some are not. The arguments that are not persuasive are addressed below:

Arguments under 35 U.S.C. 103(a)

Arguments to Claim 1:

a) The prior art Shoji does not suggest "creating definition files to define the way data of field devices are displayed".

Response to arguments of Claim 1:

As to point a, the argument has been considered but is not persuasive. The claim limitation recites "create definition files that define the way the data of said field devices is displayed" Shoji discloses an ACF11 (I/O module) which includes a definition file builder that defines configuration data for each field bus device. The data is then downloaded to its respective field bus device where its status can be viewed on an HIS screen (pg. 23, Col. 2). Therefore, there is provided a definition file for each field device.

As to any claims not specifically discussed, the applicants argued that it was patentable for one of the reasons discussed above. Please see response to above arguments for unspecified discussions.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1 and 3-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gretta, Jr. (6,076,952), in view of Hiroshi et al. (Centum CS Fieldbus Communication Functions, 1999), and further in view of Shoji et al. (*Fieldbus System Engineering*, 1999).

With respect to claim 1, Gretta discloses:

- A computer comprising:
 - description device for writing data read by said data acquisition device (Col. 7, lines 40-45 and Col. 10, lines 45-67, *memory media to store field bus configuration utility*)

- generation device for interpreting data to generate display data
(Col. 10, lines 21-28 and 59-67, *configuration utility scans field bus network and their respective function blocks*)
- display device for displaying said generated display data on a personal computer on a network (Figure 1 and Col. 10, lines 21-28, **14**, *display device*)

Gretta does not explicitly disclose the data acquisition device for reading data from field devices connected to a fieldbus is enclosed in a field control station.

However, Hiroshi discloses the data acquisition device for reading data from field devices connected to a fieldbus is enclosed in a field control station (pg. 20, Section 3, Alarms and Events, *where FCS acquires alert messages issued by field devices*)

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Gretta to incorporate the teachings of Hiroshi to provide the data acquisition device for reading data from field devices connected to a fieldbus is enclosed in a field control station, *because* the field control station performs the control function of a distributed control system and can also run a process for cascade connection to the fieldbus and interface field devices with an information and command station.

Gretta and Hiroshi do not explicitly disclose creating definition files to define the way data of field devices are displayed.

However, Shoji discloses creating definition files to define the way data of field devices are displayed (pg. 23, Col. 2, paragraph 2, "(2) Engineering of DCS...")

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Gretta and Hiroshi to incorporate the teachings of Shoji to creating definition files to define the way data of field devices are displayed, *because* it will define configuration data that will be displayed for each field device.

With respect to claim 9, the claim's limitations are similar to claim 1. Therefore, the claim is rejected for the same reasons as claim 1 above.

With respect to claims 3 and 4, Gretta discloses the display device displays the diagnostic parameters of said field devices and the statuses (Col. 4, lines 38-48)

Gretta does not explicitly disclose creating definition files to define the way data of field devices are displayed.

However, Shoji discloses creating definition files to define the way data of field devices are displayed (pg. 23, Col. 2, paragraph 2, "(2) Engineering of DCS...")

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Gretta to incorporate the teachings of Shoji to creating definition files to define the way data of field devices are displayed, *because* it will define configuration data that will be displayed for each field device.

With respect to claim 5, Gretta discloses said display device displays alarms present in said field devices (Col. 34, lines 44-50)

Gretta does not explicitly disclose creating definition files to define the way data of field devices are displayed.

However, Shoji discloses creating definition files to define the way data of field devices are displayed (pg. 23, Col. 2, paragraph 2, "(2) Engineering of DCS...")

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Gretta to incorporate the teachings of Shoji to creating definition files to define the way data of field devices are displayed, *because* it will define configuration data that will be displayed for each field device.

With respect to claim 6, Gretta discloses the display device has an area for setting an update interval at which said data acquisition device reads data from said field devices and said data acquisition device reads data from said field devices at said update interval set in said update interval setting area (Col. 34, lines 15-21)

With respect to claim 7, Gretta discloses the update interval setting area is provided with a refresh button that allows said data acquisition device to read data from said field devices at a desired point in time, and said data acquisition device reads data from said field devices at said desired point in time set using said refresh button (Col. 23, line 60)

With respect to claim 8, Gretta does not explicitly disclose the display unit comprises a definition device for defining diagnostic parameters to be displayed on a field device basis, wherein said description device writes to said definition files according to definitions provided in said definition device

However, Shoji discloses the display unit comprises a definition device for defining diagnostic parameters to be displayed on a field device basis, wherein said description device writes to said definition files according to definitions provided in said definition device (pg. 23, Col. 2, paragraph 2, "(2) Engineering of DCS...")

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Gretta to incorporate the teachings of Shoji to definition device for defining diagnostic parameters, *because* it will define configuration data that will be displayed for each field device.

With respect to claim 10, Gretta discloses data acquisition unit acquires alarm information from said field devices (Col. 4, lines 38-48)

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Esther Benoit whose telephone number is 571-270-3807. The examiner can normally be reached on Monday through Friday between 7:30 a.m and 5 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

E.B.
February 24, 2010

/Shawki S Ismail/
Primary Examiner, Art Unit 2455